

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: FRANK MAHONEY : **CHAPTER 13**

Debtor. : **BKY. NO. 16-14519 (MDC)**

**DEBTOR'S NOTICE OF CONVERSION TO CHAPTER 7 PURSUANT TO 11 U.S.C.
SECTION 1307(a) AND L.B.R. 1017-1(a)**

The Debtor, Frank Mahoney, by and through his undersigned counsel, hereby provides notice to this Honorable Court of the Debtor's intention to Convert to a case under Chapter 7 of this title pursuant to 11 U.S.C. Section 1307(a) and L.B.R. 1017-1(a), and in support thereof asserts the following:

1. Debtor filed for relief under chapter 13 on June 25, 2016.
2. William C. Miller, Esquire was appointed as the chapter 13 Trustee.
3. Since the filing of the Debtor's chapter 13 filing, the Debtor has struggled to pay both his mortgage on his home (the "Real Property") and the trustee payments under the Debtor's proposed plan.
4. The Debtor had applied for a loan modification for help making the payments on the Real Property, but was not successful.
5. The Debtor and the non-debtor spouse hope to sell the Real Property through a short sale since the value of the Real Property is significantly less than the mortgage amount owed.
6. The Debtor cannot afford to pay his debts as they come due.
7. The Debtor and non-debtor spouse's only source of income are Social Security

benefits.

8. Section 1307(a) of the Bankruptcy Code provides that the Court may convert a case under Chapter 13 to a case under Chapter 7.
9. A conversion to a Chapter 7 would be in the best interests of the Debtor, the creditors and the estate.
10. The additional filing fee is being paid concurrently with the filing of this notice.
11. The Conversion to chapter 7 is filed in good faith and the Debtor is eligible for relief under chapter 7.

Wherefore, Debtor prays that an Order be entered converting the above-captioned case to a case under Chapter 7.

Respectfully submitted,

CENTER CITY LAW OFFICES, LLC

By: /s/Maggie S. Soboleski

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Dated: August 13, 2018

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In re: FRANK MAHONEY

: CHAPTER 13

Debtor.

: BKY. NO. 16-14519 (MDC)

CERTIFICATE OF SERVICE OF NOTICE OF CONVERSION

I, MAGGIE S. SOBOLESKI, ESQUIRE, certify that I did cause a true and correct copy of the Debtors' Notice of Conversion of Case to Chapter 7 to be served as indicated below, this 13th day of August, 2018 upon the following:

Cenlar/Pingora Loan Servicing, LLC c/o Rebecca Solarz, Esquire at KML Law Group (via email)

Internal Revenue Service (via ECF)

William C. Miller, Esquire, Ch. 13 Trustee (via e-mail)

Respectfully submitted,

/s/ Maggie S. Soboleski, Esquire

CENTER CITY LAW OFFICES, LLC

By: Maggie S. Soboleski Pa. Id. No.: 88268

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